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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,077	11/19/2003	Longinos De Dios Martin	21334-1286	7012

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EXAMINER
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GUSHI, ROSS N

ART UNIT	PAPER NUMBER
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2833

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/717,077	<b>Applicant(s)</b> MARTIN, LONGINOS DE DIOS	
	<b>Examiner</b> Ross N. Gushi	<b>Art Unit</b> 2833	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4, 10-13, 23 and 24 is/are rejected.
- 7) ☒ Claim(s) 5-11, 14-22, 25 and 26 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in —

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a);

Claim 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Nozick.

Per claim 1, Nozick discloses a cable holding device 1 for terminating a cable having a plurality of wires with a connector, the cable holding device comprising: a housing having a plurality of slots 12 arranged for positioning the plurality of wires in a fixed spaced relationship relative to each other and an inner surface 16 configured for guiding a connector into electrical complementary surface of the engagement with the plurality of wires.

Per claim 2, the slots are formed on inner and outer walls of the housing, each of wherein the slots on the outer walls corresponds slots on the inner walls

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to form a wire receiving path (see figure 6, where the path is the interior space that is occupied by the wire).

Per claim 3, Nozick discloses wire support structure (i.e. the surface of the channel 12) arranged between the inner and outer walls of the housing and substantially aligned with the wire receiving path.

Per claim 4, the wire support structure includes a u-shaped slot 14 arranged receiving terminal of the connector.

Claim 13, 23, and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by Frantz et al. ("Frantz").

Per claims 13 and 23, Frantz discloses a cable terminating apparatus terminating a cable having a plurality of wires with a connector, the cable terminating apparatus comprising: a housing 10 having a plurality slots arranged for positioning the plurality of wires in a fixed spaced relationship relative to each other; connector 12 having a plurality of terminals corresponding to the plurality of wires; and a squeezing tool 150 having a recess 180 configured for receiving the housing and the connector, the squeezing tool having a moveable plate 162 for urging the connector and the housing against a support wall and into engagement with each other to electrically connect the plurality of terminals with the plurality of wires.

Per claim 23, Frantz discloses severing the free ends with blade 164.

Per claim 24, Frantz discloses placing housing 10 and connector 12 in the squeezing tool.

***Claim Rejections - 35 USC § 103***

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nozick as in claim 2, in view of Lin.

Nozick does not discuss an indicator panel. Lin discloses an indicator panel (at 137) to designate wires assigned to the wire paths. At the time of the invention, it would have been obvious to include various markings or indications on the housing walls of Nozick to facilitate correct placement of the wires, as taught in Lin.

***Allowable Subject Matter***

Claims 5-11, 14-22, 25, and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Regarding claim 5, the prior art does not suggest the device as claimed, including the combination of all the claimed elements, the combination including the cutting device arranged proximate the outer walls for severing free ends as claimed. Regarding claim 10, the prior art does not suggest the device as claimed, including the combination of all the claimed elements, the combination including the first and second housing parts configured to receive

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and clamp the cable as claimed. Regarding claim 14, the prior art does not suggest the apparatus as claimed, including the combination of all the claimed elements, the combination including the cutting device arranged in the housing as claimed. Regarding claim 25, the prior art does not suggest the method as claimed, including the combination of all the claimed steps, the combination including the cutting device that projects from the housing as claimed.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ross Gushi whose telephone number is (571) 272-2005. If attempts to reach the examiner by phone are unsuccessful, the examiner's supervisor, Paula A. Bradley, can be reached at 571-272-2800 extension 33. The phone number for the Group's facsimile is (703) 872-9306.



**ROSS GUSHI**  
**PRIMARY EXAMINER**